

OCT 18 2010

Docket No. F-9186

Ser. No. 10/588,668

REMARKS

Claims 1-17 remain pending in this application. Claims 1-17 are rejected.

Claim 1 is amended herein to clarify the invention.

The applicant and applicant's counsel appreciate the Examiner's granting of the telephone interview conducted on October 4, 2010, and extend their thanks to the Examiner and her Supervisor for their time and consideration.

While no formal agreement was reached, the Examiner and her Supervisor indicated that clarifying the direction of the laminations relative to the arrayed solar cells which comprise each of the cell group modules, would overcome the art rejections of record. It was furthermore acknowledged by the Examiner and her Supervisor that, with regard to claim 7, should the claim again be similarly rejected, the Examiner would cite art specifically teaching the claimed feature of arranging the nearly spherical solar cells in two layers to approach one another without overlapping in a plan view.

The amendments made herein reflect the understanding had during the interview.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims and objection cited in the above-referenced Office Action.

Claim 1 is rejected as obvious over Nakada (US 6,204,545) in view of Alvi (The Potential for Increasing the Efficiency of Photovoltaic Systems By Using Multiple Cell Concepts, cited in IDS) under 35 U.S.C. §103(a). The applicant herein

Docket No. F-9186

Ser. No. 10/588,668

respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

Claim 1 as currently amended recites in pertinent part the following:

different types of solar cell modules each having a respectively different sensitivity wavelength band and each configured generally in a form of a layer, said solar cell modules being incorporated as an integrally laminated structure in which the solar cell modules are consecutively layered in the laminated structure, with a one said layer overlaying another said layer of respective ones of said solar cell modules, from a one of said solar modules having a shortest center wavelength of the sensitivity wavelength band to another of the solar modules having a longest center wavelength of the sensitivity wavelength band, said one of said modules having the shortest center wavelength in said sensitivity wavelength band being positioned closest to an incidental side of said laminated structure which is adapted to being exposed

Docket No. F-9186

Ser. No. 10/588,668

to sunlight, at least one of said different types of said solar cell modules comprising a cell group module including nearly spherical solar cells aligned in columns and rows as at least one array of said solar cells, each said at least one array being extended crosswise to a thickness direction of a corresponding said layer comprising said cell group module;

The revised claim language is believed by applicant to clarify a direction of lamination by specifying that each of the solar cell modules is configured generally in a form of a layer, and that each layer is consecutively layered in the laminated structure with a one layer overlaying another layer. The amended claim further sets forth that the claimed at least one cell group module includes nearly spherical solar cells aligned in columns and rows as at least one array of said solar cells, wherein each array extends in a direction crosswise to a thickness direction of the layer of the solar cell module in which is contained.

As was agreed upon during the interview referenced above, no such lamination of layers, each including respective solar cell modules, is taught or suggested by either Nakada or Alvi, taken alone or in combination.

Docket No. F-9186

Ser. No. 10/588,668

Thus, it is respectfully submitted that the rejected claim is not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of claim 1 and its allowance are respectfully requested.

Claims 2 and 3 are rejected as obvious over Nakada (US 6,204,545) in view of Alvi (The Potential for Increasing the Efficiency of Photovoltaic Systems By Using Multiple Cell Concepts, cited in IDS), and further in view of Freundlich (US 6,150,604) under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection.

Freundlich, cited for its alleged teaching relating to a planar light receiving module having a planar common pn junction and a reflective mirrored surface fails to adequately supplement what is missing in both Nakada and Alvi, as highlighted above with regard to the rejection of parent claim 1.

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of claims 2 and 3 and their allowance are respectfully requested.

Claims 4-11, 16 and 17 are rejected as obvious over Nakada (US 6,204,545) in view of Alvi (The Potential for Increasing the Efficiency of Photovoltaic Systems By Using Multiple Cell Concepts, cited in IDS) and Freundlich (US 6,150,604), and further in view of Nakada (WO 2004/001858, and English equivalent US 2006/00086384) under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection.

Docket No. F-9186

Ser. No. 10/588,668

Nakada (WO 2004/001858 and English equivalent US 2006/00086384), cited merely for its alleged teaching of connecting spherical solar cells aligned in plural columns and rows via plural lead wires extending in a columnar direction fails to adequately supplement what is missing in both Nakada, Alvi and Freundlich.

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of claims 4-11, 16 and 17 and their allowance are respectfully requested.

Claims 12 and 13 are rejected as obvious over Nakada (US 6,204,545) in view of Alvi (The Potential for Increasing the Efficiency of Photovoltaic Systems By Using Multiple Cell Concepts, cited in IDS) and Freundlich (US 6,150,604), and further in view of Alivisatos et al. (US 2003/0226498) under 35 U.S.C. §103(a).

Claims 14 and 15 are rejected as obvious over Nakada (US 6,204,545) in view of Alvi (The Potential for Increasing the Efficiency of Photovoltaic Systems By Using Multiple Cell Concepts, cited in IDS) and Freundlich (US 6,150,604), and further in view of Alivisatos et al. (US 2003/0226498) and Wegleiter et al. (US 6,531,405) under 35 U.S.C. §103(a). The applicant herein respectfully traverses these rejections.

It is respectfully submitted that none of the disclosures of Alivisatos et al. and Wegleiter et al. supplements what is lacking in Alvi, Nakada and Freundlich, as discussed above. Therefore, a *prima facie* case of obviousness cannot be established, as the proffered combinations of references fail to teach or suggest all claimed

RECEIVED
CENTRAL FAX CENTER

015/015

OCT 18 2010

Docket No. F-9186

Ser. No. 10/588,668

features. Thus, reconsideration of the rejections of claims 12-15 and their allowance are respectfully requested.

Applicant respectfully requests a one (1) month extension of time for responding to the Office Action. Please charge the fee of \$65 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By Frank J. Jordan by:
Frank J. Jordan
Reg. No. 20,456
Attorney for Applicant
and,

By Lawrence I. Wechsler
Lawrence I. Wechsler
Reg. No. 36,049
Attorney for Applicant

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340